

**CITY OF BROKEN ARROW  
PLANNING COMMISSION MEETING  
MINUTES  
August 26, 2004**

The Planning Commission Agenda for this meeting was posted on August 20, 2004, at 3:30 p.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, August 26, 2004, at 5:00 p.m.

2. Present: Ricky Jones, Chairperson  
Renate Caldwell, Vice Chairperson  
Robert Goranson, Commission Member  
Johnnie Parks, Commission Member

Absent: Ron Carter, Commission Member

Staff Present: Farhad Daroga, City Planner (arrived 5:28 p.m.)  
Brent Murphy, Ass't City Planner  
James T. McHendry, Staff Planner  
Joyce Snider, Admin Ass't  
April Parnell, Ass't City Attorney (arrived 5:21 p.m.)  
Jeff Westfall, Engineering Dept  
Tom Hendrix, Acting City Engineer

3. The Commission considered the minutes of regular Planning Commission meeting held August 12, 2004. **Motion** by Renate Caldwell to approve the minutes of the Planning Commission meeting held August 12, 2004. The motion was seconded by Johnnie Parks.

Yes: Parks, Caldwell, Jones

No. None

Abstain: Goranson

**Motion Approved.**

Ricky Jones said, if there were no objections, Agenda Item 4C and 7 would be moved to the end of the agenda as requested by the applicant, due to a scheduling conflict that would not allow the applicant to be present at 5:00 p.m. There were no objections.

Ricky Jones said the applicant has requested that Agenda Item 5A be continued. He asked if there were any interested parties regarding this item. No one responded. Brent Murphy said the applicant is asking for the continuance to allow time to submit a revised preliminary plat.

Ricky Jones said the applicant has requested that Agenda Items 5B, PT04-117 and 9, SP 142D related to Evergreen Baptist Church, be continued to September 23, 2004.

**Motion** by Renate Caldwell to continue Agenda Item 5A, PT04-117, to October 28, 2004. The motion was seconded by Johnnie Parks.

Yes: Parks, Goranson, Caldwell, Jones

No. None.

**Motion Approved.**

**Motion** by Johnnie Parks to continue Agenda Item Nos. 5B, PT04-117, and 9, SP 142D, related to Evergreen Baptist Church, to the meeting of September 23, 2004.

Yes: Parks, Goranson, Caldwell, Jones

No. None

**Motion Approved**

Ricky Jones said Agenda Item 4C and 7 would heard at the end of the agenda.

## **OLD BUSINESS**

- 4A. The Commission considered PT03-116, Castlegate revised conditional final plat, 19.34 acres, 38 lots, PUD 120/O-3 and R-3 (BAZ 1606, BAZ 1377 and BAZ 1387) Garnett Road, one-quarter mile north of Washington Street, Sisemore Weisz & Associates, Inc. (Engineer). Brent Murphy presented the background. The applicant was present and said he had nothing to add.

**Motion** by Renate Caldwell to recommend approval as recommended by Staff of revised conditional final plat PT03-116, Castlegate on property on Garnett Road, one-quarter mile north of Washington Street. The motion was seconded by Johnnie Parks.

Yes: Parks, Goranson, Caldwell, Jones

No. None

**Motion Approved.**

Ricky Jones said this item will be considered by the City Council in their meeting of September 20, 2004, at 7:00 p.m.

- 4B. The Commission considered ST04-128 and CA04-104, DN04-151, Green Country Cycle City Site Plan and Change of Access, 2.17 acres, C-4, 1200 Southwest Expressway Drive, Ron Bray (Applicant/Owner). Brent Murphy presented the background and outlined the issues involved with this project. He said Staff recommends approval of ST04-128 with conditions and the applicant agrees with the changes. He said Staff recommends denial of CA04-104, a change of access on the east side and the applicant is in agreement. The applicant was present and said he is in agreement with the Staff recommendations.

**Motion** by Johnnie Parks to deny CA04-104. The motion was seconded by Renate Caldwell.

Yes: Parks, Goranson, Caldwell, Jones

No. None

**Motion Approved**

**Motion** by Johnnie Parks to approve ST04-128 as recommended by Staff. The motion was seconded by Bob Goranson.

Yes: Parks, Goranson, Caldwell, Jones

No. None

**Motion Approved**

- 4C. PUD 118B, Aspen Park Village, major amendment, 54.06 acres, R-3, R-4, C-5 (BAZ 1562), one-quarter mile north of Kenosha Street on the east side of Aspen Avenue, Independent Design Consultants, LLC (Engineer). Earlier in the meeting, this item was moved to the end of the agenda.

**CONSENT AGENDA**

Brent Murphy reviewed 5C through 5I of the Consent Agenda. Ricky Jones asked if Commission members or members of the audience wished to remove any of the items from the Consent Agenda. No one responded.

**Motion** by Johnnie Parks to approve the Consent Agenda with the exception of Item Nos. 5A and 55B which were continue, as recommended by Staff. The motion was seconded by Renate Caldwell.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**

- 5A. PT04-116, Washington Lane III preliminary plat, (PUD 135A), 3.0 acres, 52, lots, East Del Mar Street, one-quarter mile east of 9<sup>th</sup> Street, Independent Design Consultant (Engineer). Earlier in the meeting, this item was continued to the Planning Commission meeting to be held October 28, 2004.
- 5B. PT04-117, DN04-163, Evergreen Baptist Church preliminary plat, SP 142D, 39.05 acres, R-2, Florence Street, one-half mile west of Garnett Road, Chapman, Cottle, Gill & Associates, Inc. (Engineer). Earlier in the meeting, this item was continued to the Planning Commission meeting to be held September 23, 2004.

**SITE AND LANDSCAPE PLANS**

- 5C. ST04-113, DN04-135, Henrad Office Building landscape plan, Lot 2, Block 1, O-3, Berkshire Medical Office Park, Lassiter Richey Co. (Applicant). The applicant was not present. This item was approved as recommended by Staff.
- 5D. ST04-135, DN04-159, Union Public School 8<sup>th</sup> Grade Center site plan, Garnett Road, one-half mile north of Kenosha Street, Wallace Engineering (Applicant). The applicant was present. This item was approved as recommended by Staff.
- 5E. ST04-136, DN04-160, Roller City Skate Rink site and landscape plan, 1.38 acres, C-5, 551 West Oakland Place, Leon Ragsdale (Applicant). The applicant was present. This item was approved as recommended by Staff.
- 5F. ST04-138, DN04-129, Record Office/Warehouse site and landscape plan, 1080 West Detroit Street, 0.75 acres, I-1, Kevin Record (Applicant/Owner). The applicant was not present. This item was approved as recommended by Staff.
- 5G. ST04-139, DN04-129, Walker Office/Warehouse site and landscape plan, 1090 West Detroit Street, 0.75 acres, I-1, Billy Walker (Applicant/Owner). The applicant was not present. This item was approved as recommended by Staff.
- 5H. ST04-140, DN04-165, Kwik Kar Lube & Tune site plan, north of the northeast corner of New Orleans & Aspen Avenue, Cook & Associates Engineering, Inc. (Applicant). The applicant was present. This item was approved as recommended by Staff.
- 5I. BAL 861, Magnolia Gardens, (PUD 94) Lots 13 through 15, Block 4, R-3, J. Donald Walker, (Applicant). The applicant was not present. This item was approved as recommended by Staff.

6 **ITEMS REMOVED FROM THE CONSENT AGENDA**

None.

7. PUD 146 and BAZ 1651, Forest Creek, 71.72 acres, northeast corner Houston Street and Garnett Road, Roy Johnsen (Applicant). Earlier in the meeting, this item was moved to the end of the agenda.
8. The Commission considered BAZ 1649, Wyatt Duplex, 0.5 acres, A-1 to R-4, northwest corner of Louisville Street and Highway 51, Wade Wyatt (Applicant/Owner). Brent Murphy presented the background and said Staff recommends approval. The Commission discussed the case briefly.

The applicant, Wade Wyatt, was present and said he would like to delay his remarks until after the public had an opportunity to speak.

Ricky Jones opened the floor for public comment at 5:24 p.m.

Scott Sentille, 3500 East Louisville, Broken Arrow, owner of the property adjacent to the project site, expressed concern regarding property values, traffic, type of occupants, danger from traffic coming off nearby Highway 51.

Farhad Daroga arrived at 5:28 p.m.

Brent Cupps, resident on Louisville next to 3500 East Louisville, said his concerns were the same as Mr. Sentille's, and in addition, there is a utility easement behind his house and there is a service pole on the northwest corner of his property and a tree which will need to be trimmed periodically. Mr. Cupps said the back yard of his property cannot be accessed from the front for tree trimming purposes and something will need to be done about that. He said he could not see a way to go around the west side of the Signs & Banners building to mow or access the service pole because the property slopes at a 45 degree angle. Ricky Jones said the property will need to be platted if it is rezoned. Mr. Cupps said the turnover will be high on the subject property due to the vibrations of heavy trucks on the highway.

Mario Freeman, 1208 South 35<sup>th</sup> Street, said his concerns are the same and outlined them.

Wade Wyatt, 13900 241<sup>st</sup> East Avenue, the applicant, said he plans to build a duplex comparable to the houses in the adjacent neighborhood and a fence and shrubs to reduce the noise from the highway. He said he planned to live in one side of the duplex, renting the other and selling his present residence.

Mario Freeman said it will be a high turnover area and it will affect property values.

Ricky Jones closed the floor to public comment at 5:35 p.m.

The location of the driveway for the duplex was discussed by the Commission, as well as the concerns related to the small size of the lot.

**Motion** by Renate Caldwell to recommend approval of BAZ 1649 as recommended by Staff. The motion was seconded by Robert Goranson.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**

Ricky Jones said this item will be considered by the City Council in their meeting of September 20, 2004, at 7:00 p.m.

9. SP 142D, (renewal) Evergreen Baptist Church, 39 acres, north of Florence (111<sup>th</sup>) Street, one-quarter mile east of Mingo Road, Michael Gabbert (Applicant/Owner). ). Earlier in the meeting, this item was continued to the Planning Commission meeting to be held September 23, 2004.
- 4C. PUD 118B, Aspen Park Village, major amendment, 54.06 acres, R-3, R-4, C-5 (BAZ 1562), one-quarter mile north of Kenosha Street on the east side of Aspen Avenue, Independent Design Consultants, LLC (Engineer) and attorney, Roy Johnsen. Earlier in the meeting, this item was moved to the end of the agenda. Brent Murphy presented the background and said the applicant informed Staff today that they request three points of location with full left and right turn movements, with the remaining two points of access restricted to right turn only both in and out. He said a conditional final plat will be submitted when this matter is resolved.

Roy Johnsen, attorney for the applicant, outlined the layout of the property and the related request.

Ricky Jones opened the floor to public comment at 5:50 p.m.

James Evans, 1400 North Poplar, Broken Arrow, opposite the site in questions, asked who will pay for installing a median. Farhad Daroga said there is no plan for a median in that area. Discussion followed.

Ricky Jones closed the floor to public comment at 5:52 p.m.

Discussion followed.

**Motion** by Johnnie Parks to recommend approval of PUD 118B with full left and right turn movements at three access points, with the remaining two points of access restricted to right turn only both in and out. The motion was seconded by Renate Caldwell. Discussion followed.

Johnnie Parks moved to amend his motion, with the consent of the second, with the access point closest to the Railroad to be right-turn only.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**

Ricky Jones said this item will be considered by the City Council in their meeting of September 20, 2004, at 7:00 p.m.

7. PUD 146 and BAZ 1651, Forest Creek, 71.72 acres, northeast corner Houston Street and Garnett Road, Roy Johnsen (Applicant). Earlier in the meeting, this item was moved to the end of the agenda.

Ricky Jones informed the Commission that he has had ex parte communication with representatives of the applicant and they discussed the history of this case, but nothing was discussed with him nor was information given him that would preclude his ability to make an informed and unbiased decision and he does not feel compromised in any way.

Brent Murphy presented the background. He said, based on the Comprehensive Plan, the location of the property and surrounding uses, Staff recommended approval of BAZ 1651, rezoning from R-1 to R-1, R-5, C-2 and C-3, subject to the property being platted. He said Staff recommended PUD 146 be approved, with modifications. Discussion followed.

7. continued

Roy Johnsen, said he is the attorney for the property owner, Daniel Buford, and Southern Investments, LLC, which is Mike Slaten and John Wise, the commercial developers on the project and Kelly Dunlap, developer of the town home development and the C-2 property immediately south. Mr. Johnsen outlined features of the town home project and of the project generally and said it is consistent with the Comprehensive Plan amendment (BACP 39) which has been approved by the Planning Commission and the City Council.

Mr. Johnsen said there are acreage differences which will be reconciled with City Staff. He outlined the proposed landscaping along the frontage to be 15 feet for the first 150 feet from the corner of Houston Street and Garnett Road and ten feet on the remainder. He said Staff has recommended ten-foot landscaping between all commercial and residential uses and after discussion, with participation by Mike Slaten, it was decided that issue will be determined during the site plan approval process.

Ricky Jones opened the floor to public comment at 6:50 p.m.

Greg Copeland, 800 South Butternut, said there are not enough facts available on which to proceed with this project and expressed concern regarding the esthetic appearance of the project and the large amount of traffic it would cause.

Blake Summers, 4000 West Nashville, was not in favor of having rental property in the project and said he had the same concerns Mr. Copeland had expressed.

Ricky Jones closed the floor to public comment at 7:07 p.m.

Roy Johnsen outlined the proposed solutions to increased traffic, the proposed access points, which were discussed, and said there is a great deal of data available with which to design the development in the appropriate fashion. Various project issues, including the reserve area and flood plain issues were discussed

**Motion** by Renate Caldwell to recommend approval of PUD 146 and BAZ 1651, with six access points on Houston Street, three on Garnett Road, with the turning movement to be worked out at the platting stage, with the westernmost access point no closer than 175-feet from Garnett Road, with right-turn only (contingent upon safety Staff agreement, the proposed landscaping along the frontage to be 15 feet for the first 150 feet from the corner of Houston Street and Garnett Road and ten feet on the remainder of the site, three to ten-foot landscaping between all commercial and residential uses to be determined during the site plan approval process. The motion was seconded by Johnnie Parks.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**

Ricky Jones said this item will be considered by the City Council in their meeting of September 20, 2004, at 7:00 p.m.

10. The Commission considered a public hearing on proposed ordinance creating a Downtown Development District (DOD) where development proposals shall be processed through specified development guidelines as described within the Broken Arrow Zoning Ordinance. These borders of the overlay district would be Kenosha Street on the north, Houston Street on the south, Elm Place on the west and 2<sup>nd</sup> Street on the east.

10. continued

Farhad Daroga said Staff requests that this item be continued to the meeting of September 9, 2004.

**Motion** by Renate Caldwell to continue the public hearing on proposed ordinance creating a Downtown Development District (DOD) to the Planning Commission meeting of September 9, 2004. The motion was seconded by Johnnie Parks.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**

11. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF - (NO ACTION)**

11A. Briefing on the Zoning Ordinance RFP: Farhad Daroga said three firms will be interviewed on Tuesday, August 31, 2004, starting at 10:30 a.m., at N.S.U., Room 170 and the Planning Commission members are invited to attend.

11B. Briefing on the Vision 2025 Downtown Master Plan project: Farhad Daroga said the City Council has agreed with the Downtown Steering Committee recommendation to hire Clarion & Associates and negotiations are proceeding. He said Clarion is also negotiating with the City on a separate portion of this contract for completion of a site selection study for a City Town Center or Plaza and there will be public hearings soon.

13. **Motion** by Renate Caldwell at 7:10 p.m. to adjourn. The motion was seconded by Johnnie Parks.

Yes: Parks, Goranson, Caldwell, Jones

No: None

**Motion Approved.**